M.R.O. 1—77,006—8-6-37.

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MADRAS RECORD OFFICE.

Government of Madras.

Public works DEPARTMENT.

G.O. No. 561 531–532	Press ~~Mis.~~
Dated 25-2	1871.

Not to be folded or roughly handled

Proceedings of the Madras Go nment, Public Works Department,
25th ebruary 1871.

No. 531. Read the following letter from the Acting Superintending Engineer, 8th Division, to the Secretary to Government, Public Works Department, dated Palamcottah, 28th January 1871, No. 2,783 :—

I HAVE the honour to acknowledge the receipt of Proceedings, Madras Government, dated 13th instant, No. 97.

No. 1. Original deposition of Overseer Soobramania Pillay.
,, 2. Do. Lieutenant Shepherd.
,, 3. Do. Mr. McNair.
,, 4. Original letter of Mr. Colquhoun to Overseer Soobramania Pillay.
,, 5. Original memorandum by Mr. McNair, 1st Range Officer.

2. On the evening of the 19th of last September, accompanied by Lieutenant Shepherd, Mr. McNair (the Range Officer), and Overseer Soobramania Pillay, I examined the Nalamalei Odei bridge. On reaching the north-east wing of the bridge, a Contractor, formerly employed on the bridge, stepped up and said he wished to give me some information. I stopped and asked him what he had to say. The man had scarcely opened his mouth when Overseer Soobramania Pillay stepped across me, and in the most insolent manner tried to silence him. I directed the Overseer to stand on one side and hold his tongue; instead of obeying me, he continued talking in the most insolent defiant way, whereupon I pushed him aside and ordered him back to the camp, and in the heat of the moment I made use of the term "burwah."

3. No one regrets more than myself that the expression should have escaped my lips, but it occurred under great provocation.

4. As Overseer Soobramania Pillay is now undergoing examination by the Magistrate, relative to certain alleged frauds and forgeries in connection with certain works executed by him under the orders of Mr. Colquhoun, I requested the Magistrate to call upon the Overseer to state what took place at Puthukotie during my examination of the Nalamalei Odei bridge on the 19th September last.

5. The Magistrate has just forwarded to me the accompanying depositions, together with a letter written from Madras, on the 12th instant, by Mr. Colquhoun to Overseer Soobramania Pillay, and I submit them for the information of Government.

6. Mr. Colquhoun was not present on the occasion of my examination of the Nalamalei Odei bridge on the 19th September last, so how this matter concerns him is not clear.

7. The inference which he wishes Government to draw from his exaggerated hearsay statement, namely, that the Overseer was afraid to approach him or afford him any information regarding works and accounts, is a false one.

8. Overseer Soobramania Pillay was directed to accompany Captain Oakes in the examination of all the works that I had complained of, and which had been executed under his superintendence. He was transferred to the Tinnevelly Talook, in order that he might be at hand to give further information during the enquiry in Palamcottah, and Captain Oakes' report and the accompanying statement*

* Enclosures 5.

drawn up by the 1st Range Officer are sufficient, I think, to contradict any base assertion of Mr. Colquhoun's, that his intercourse with the Overseer was restricted in the manner he describes in the 9th paragraph of his letter* to your address.

* Dated 9th November 1870, and quoted in the Proceedings of Government under reply.

9. In conclusion, I have the honour to state that Mr. Colquhoun's letter (enclosure No. 4) to the Overseer, taken in conjunction with what has recently transpired during an investigation by the Magistrate into certain charges of forgery and cheating Government, made against Contractors "Ratnam Moodelly & Co.," in which charges Mr. Colquhoun is implicated, leads me to infer that Overseer Soobramania Pillay's insolent behaviour on the 19th September last was premeditated, with a view not only to prevent my obtaining important information regarding bad work and in connection with the Nalamalei Odei bridge, but also to irritate me, if possible, into committing an assault.

No. 532. ORDER THEREON, 25th February 1871, No. 561.

ESTABLISHMENT, No. 41.

His Excellency the Governor in Council is much concerned to learn that Major Payne so far lost his self-control as to apply an opprobrious epithet to Overseer Soobramania Pillay. The Government admit that the provocation offered was great, but Major Payne should not have forgotten himself, as he appears to have done, especially in the presence of his own subordinates.

(True Extract.)

Colonel, R.E.,

Secretary to Government.

To Major G. M. Payne, Executive Engineer.

Exd. S. T. Augustin.

No 2783

Palamcottah
28th January 1871.

From, Major G. M Payne
Acting Supt Engr 8th Dn
To, Col. C. A. Orr R.E.
Secy to Govt P.W.D.

Sir,

I have the honor to acknowledge the receipt of Pro. Madras Govt. dated 13th inst. No 97.

Enclosures 5. viz!
1 Original deposition of Overseer Soobramonia Pillay.
2. Do Lt Shepherd
3 Do Mr McNair
4 Original letter of Mr Colquhoun to Overseer Soobramonia Pillay–
5 Original Memo- by Mr McNair 1st Range Officer–

2. On the evening of the 19th of last September, accompanied by Lieut Shepherd, Mr McNair (the Range Officer) and Overseer Soobramonia Pillay I examined the Nalamalei Odei bridge. On reaching the North East wing of the bridge, a Contractor formerly employed on the bridge stepped up & said he wished to give me some information. I stopped and asked him what he had to say. The Man had scarcely opened his mouth when Overseer Soobramonia Pillay stepped across me & in the most insolent manner tried to silence him. I directed the overseer to stand on one side and hold his tongue: instead of obeying me, he continued talking in the most insolent defiant way,

whereupon I pushed him aside and ordered him back to the Camp, and in the heat of the moment I made use of the term "burwah".

3. No one regrets more than myself that the expression should have escaped my lips, but it occurred under great provocation.

4. As Overseer Soobramonia Pillay is now undergoing examination by the Magistrate relative to certain alleged frauds and forgeries in connection with certain works executed by him under the orders of Mr Colquhoun, I requested the Magistrate to call upon the Overseer to state what took place at Puthukotei during my examination of the Nalamalei Odei bridge on the 19th Sepr last.

5. The Magistrate has just forwarded to me the accompanying depositions together with a letter written from Madras on the 12th inst. by Mr Colquhoun to Overseer Soobramonia Pillay, and I submit them for the

information of Govt.

6. Mr Colquhoun was not present on the occasion of my Examination of the Nala-malli Odei bridge on the 19th Sepr last, so how this matter concerns him is not clear.

7. The inference ~~he~~ which he wishes Govt to draw from his exaggerated hearsay state-ment, vizt; that the Overseer was afraid to approach him or afford him any information regarding works and accounts is a false one.

8. Overseer Soobramonia Pilley was directed to accompany Captain Oakes in the Examination of all the works that I had com-plained of, and which had been Executed under his Super-intendence. He was transferred to the Tinnevelly talug, in order that he might be at hand to give further information during the Enquiry in Palamcottah and Captain Oakes' report

and the accompanying* State-
-ment drawn up by the 1st Range
Officer, are sufficient I think
to contradict any bare assertion
of Mr Colquhoun's that his inter-
-course with the overseer was
restricted in the manner he
describes in the 9th para. of
his* letter to your address.

9. In conclusion I have the honour
to state that Mr Colquhoun's letter
(Enclosure No 4) to the overseer
taken in conjunction with what has
recently transpired during an
investigation by the Magistrate, into
certain charges of forgery & cheating
Govt made against Contractors Ratnam
Moodely & Co, in which charges Mr
Colquhoun is implicated, leads me
to infer that Overseer Soobramonia
Pillay's insolent behaviour on the
19th Sept last, was premeditated,
with a view not only to prevent
my obtaining important information
regarding bad work & in connection
with the Valamalei Odei bridge, but
also to irritate me if possible
into committing an assault.

I have the honour to be
Sir
Your most obt Servt
G. M. Payne Major
Acting Supt Eng 8th D.

* Enclosure 5

* dated 9th Novr 1870 and quoted in the Pro. of Govt under reply

P.W. 1871 / Depts

Pro: of Govt. of India 813

From (6) No. 449

The Ag. Supg. Engineer 8th Division

To

The Secretary to Govt. P.W.

Dated 28th January
Recd: 31st — 1871

Enclosures 5 Retd.
vide C.N. 725/71

Replies to G.O. No. 97 of 13th January 1871.

No. 561 - 25th Feby/71

No 531

...by/71 R.L.

Circulate

Public Works Department

Proceedings of the Madras Government

Under date the

Read the following

From the Ag Supg Engineer 8th Div. | H.E. No. 2783 of 28th January 1871

The Government learns with great regret that Major Payne so far lost his self control as to use to a native public Officer a term so grossly abusive as that which has been avowed, and as to employ some degree of personal violence towards the individual referred to. This conduct on the part of Major Payne was the more reprehensible as it occurred

I think this censure is rather too strong and in such matters all the circumstances of the case I should be disposed to send Major Payne's letter without remark. The unseemly conduct of an assistant seems very irritating. At all events I would take no action on Major Payne until trials now pending criminally are over.

A. J. A.

C 449/71

...urred in the presence
...two junior Officers of his
...n service to whom it is
... duty to show an ex-
...mple of patience and
...oderation - In considera-
...ion, however, of the provocation
...red to Major Payne in
... excercise of his duty
...d of the object which
...bramania Pillai ob-
...iously had in arresting
... enquiries of that office-
... Govt: do not think
...necessary to inflict on
...ajor Payne any severer
...unishment than this
...pression of their displeasure-

[signature]

...7th Feby 1871

I agree with the Hon.
[illegible] that the
proposed censure is
too severe. The [illegible]
was grossly insolent.
I would merely say
that Govt. are much
concerned to learn
that Major Payne, so
far lost his self command as
to apply an offen-
-sive Epithet to the
[illegible]. The provoca-
tion he received was
great - but he ought
not to have forgotten
himself in this
way - Especially before
his own subordinates

"The Supg. Engr. &c. &c."
or something like this"

[initials]

Public Works Department
No. 561

Proceedings of the Madras Government
Under date the 25th Feby 1871
Read the following

449

From The Supg Engineer 8th Dn (H. E. No. 28th January 1871)

His Excellency
the Governor in Council
is much concerned to
learn that Major Payne
so far lost his self con-
-trol as to apply an
opprobrious epithet to
Overseer Soobramania
Pillay - The Government
admit that the provo-
-cation offered was great
but Major Payne should
not have forgotten him-
-self, as he appears to
have

N
J. D. S.

have done, especially in
the presence of his own
subordinates.

(5)

W M

16
2

To,
Major G. M. Payne
Executive Engineer
Desps 13/71.

Public Works Department

Letter from the Offg. Superintending Engineer of the 8th Divn. dated 28th January 1871 No. 2783.

I think it will be sufficient to state to Major Wayne that the Govt. learn with great regret that he so far lost his self control as to use to a native public officer a term so grossly abusive as that which has been avowed and ~~that~~ to employ ~~be employed~~ some degree of personal violence towards this subordinate ~~the person~~ referred to. The conduct on the part of Major Wayne was the more reprehensible as it occurred in the presence of his junior officers of his office

Fort St. George
February 1871

Circulated for orders.

[signature]
Coll. R.
Secy to Govt. PWD

(6)

on a service to whom it
is his duty to shew an
example of patience and
moderation. In consideration
of the provocation offered
to Major Payne in the
exercise of his duty and
of the object which
Felicmanca Villas
Brown had in arresting his
the enquiries ~~of Major~~
~~Payne~~ the Govr. does not
think it necessary to
inflict on Major Payne
any severer punishment
than this expression of
their displeasure.

N.

Fwd Feby/11 Q. 4th

Recd 13th January 1771 No 202

No 449

Govt. of {1871} Madras.

PUBLIC WORKS.

To Major G. M. Payne
Executive Engineer

Dated

Recd. Encl.

G. O., 25th February 1871, No. 561.

Nos. 531 & 532

Major Payne. Passing orders on the letter from Major Payne offering explanations of his conduct towards Overseer Soobramania Pillay.